REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this response, claims 1-4 and 6-9 will be pending. By this amendment, claims 1 and 7-9 are amended. No new matter has been added.

§103 Rejection of Claims 1-4 and 6-9

In Section 2 of the Office Action, claims 1-4 and 6-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rabin *et al*. (U.S. Patent No. 6,697,948; hereinafter referred to as "Rabin") in view of Saito (U.S. Patent 6,182,218).

In the Background section of the Specification, it was disclosed that "key code information contains content usage right information that sets the range (or limits) within which the contents can be utilized (content usage rights). The user may utilize the contents within the range of the content rights. The contents therefore cannot be used unless the user has acquired the usage rights." *Background of the Specification, page 1, line 23 to page 2, line 4*. "When usage of the contents is for example restricted by a count limit (number of times the contents can be used) by copyright protection technology, the user may unknowingly reach the count limit or time limit for which the contents can used, causing the problem that the user is unable to utilize the contents when needed." *Background of the Specification, page 3, lines 14-19*.

Addressing the above-described problem, the Specification discloses that "by outputting a warning report data WID based on the content usage right information CUD and usage status information CU, the user can know that the usage restriction (or limit) on the contents CT is near. The problem of the user suddenly being unable to utilize the contents CT is therefore

00308409

prevented, and the interface with the user is improved." *Specification, page 10, line 20 to page*

11, line 4. Accordingly, embodiments of the present invention provide for managing the

contents based on key code information containing content usage information set within a range

that the contents can be utilized to determine whether the contents are used within the range set

by said content usage rights information.

For example, the steps of the contents control method in claim 1, as presented herein,

include:

> "*comparing* said content usage rights information with status code
> information showing the usage status of said contents;
>
> *determining* whether the contents are used within the range set by said
> content usage rights information;
>
> *comparing* said status code information with output setting information
> having a threshold value within the range of said contents usage rights
> information <u>to warn by warning report data when in proximity to said</u>
> <u>contents usage</u> rights in the case where said status code information is
> within the range of said contents usage rights information,
>
> wherein <u>said warning enables anticipating an inability to utilize said contents</u>;
>
> *sending* said warning report data to a report address using an electronic
> mail when said status code information nears the threshold value of
> said output setting information;
>
> *disabling* use of the contents when said status code information exceeds
> the threshold value of said output setting information; and
>
> *deleting* the contents after a period of elapsed time for deletion has
> elapsed."

(emphasis added)

In summary, the contents control method of claim 1 comprises: comparing content usage

rights information with status code information; determining whether the contents are used

within the range; comparing the status code information with output setting information having a

threshold value within the range of said contents usage rights information <u>to warn by warning</u>

<u>report data when in proximity to said contents usage</u> rights in the case where said status code

information is within the range of said contents usage rights information, wherein <u>said warning</u>

<u>enables anticipating an inability to utilize said contents</u>; <u>sending the warning report data</u> to a

report address using an electronic mail when the status code information nears the threshold

value; disabling use of the contents when the status code information exceeds the threshold

value; and deleting the contents after a period of elapsed time for deletion. (See Specification,

page 10, line 6 to page 11, line 15.)

By contrast, Rabin does not teach or suggest that warning report data are sent to enable

"anticipating an inability to utilize said contents" and, therefore, fails to teach or suggest all of

the limitations of claim 1. Further, Saito was cited merely for teaching that "it is known in the

art to provide sending said warning report data to a report address using an electronic mail." It is

therefore submitted that Rabin and Saito, individually or in combination, fail to teach or suggest

all the limitations of claim 1.

Based on the foregoing discussion, claim 1 should be allowable over Rabin and Saito.

Since claims 7-9, as amended herein, closely parallel, and recite substantially similar limitations

as recited in claim 1, claims 7-9 should also be allowable over Rabin and Saito. Further, since

claims 2-4 and 6 depend from claim 1, claims 2-4 and 6 should also be allowable over Rabin and

Saito.

Accordingly, it is submitted that the rejection of claims 1-4 and 6-9 based upon 35 U.S.C.

§103(a) has been overcome by the present remarks and withdrawal thereof is respectfully

requested.

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Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application

with claims 1-4 and 6-9 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this

application, it is submitted that these claims, as originally presented, are patentably distinct over

the prior art of record, and that these claims were in full compliance with the requirements of 35

U.S.C. §112. Changes that have been made to these claims were not made for the purpose of

patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes

were made simply for clarification and to round out the scope of protection to which Applicant is
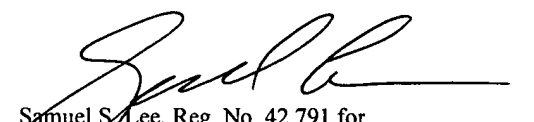
entitled.

In the event that additional cooperation in this case may be helpful to complete its

prosecution, the Examiner is cordially invited to contact Applicant's representative at the

telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any

overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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